

TOWNSEND and TOWNSEND and CREW LLP

By: Connie Larson/
Connie Larson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Keith G. Lurie et al.

Application No.: 10/796,875

Filed: March 8, 2004

For: VENTILATOR AND METHODS
FOR TREATING HEAD TRAUMA
AND LOW BLOOD CIRCULATION

Customer No.: 20350

Confirmation No. 2670

Examiner: Paul Shanoski

Technology Center/Art Unit: 3772

RENEWED PETITION PURSUANT TO 37
C.F.R. §1.137(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants renew the petition to revive the above-identified application under 37 CFR §1.137(b) previously filed on November 12, 2007, a copy of which is attached. As indicated in the Decision on Petition dated September 15, 2008, the Petition was dismissed for failure to file a response to the non-final Office Action on the merits mailed April 21, 2006. An RCE with a copy of the response filed on June 21, 2006, and two Terminal Disclaimers is attached. The entire delay, including the delay from the date of discovery of the abandonment of the application through the date of this Petition, was unintentional.

Respectfully submitted,

/darin j gibby/
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